

Woodstock Planning and Zoning Regulation Review Subcommittee Minutes

Thursday, January 5, 2012 Lower Level, Woodstock Town Hall 7:30 PM

1. The meeting was called to order at 7:30 p.m.
2. Roll Call: D. Fortin, Chair; J. Gordon, M.D.; K. Goldsmith; S. Blodgett; F. Rich; D. Durst; D. Young; T. Serrine; Staff: D. Fey, AICP, Planner/ZEO.
3. Minutes for December 1, 2011 approved (J. Gordon, M.D./ F. Rich). All in favor, motion carries.
4. Citizen's Comments: none
5. Continue page-by-page review of working DRAFT Zoning Regulations, Article IV, (Resume at Article IV B. Section 1 Standards, p. 87 of DRAFT dated 10/6/11)
The following changes were agreed to by the Subcommittee. Minor clarifications or deletions were made to clarify the meaning, where significant changes were made, they are included below, **bold** text is added, ~~erossed-out~~ is deleted. (The whole document with all changes from this meeting incorporated is on file with the Town Planner.)

The former subsections 11& 12 of DRAFT Article IV A Section 1.A were moved to Article I Section 3 as follows:

- D. The lot or yard areas required for any new building or use may not include any part of a lot that is required by any other building or use to comply with any provisions of this ~~bylaw~~ **Regulation**, nor may these areas include any property of which the ownership has been transferred subsequent to the effective date of this Regulation if such property was a part of the area required for compliance with the dimensional regulations applicable to the lot from which such transfer was made.
- E. Lots shall not be separated or ~~altered transferred in ownership~~ so as not to comply with the provisions of ~~this~~ **these** Regulations.

Article IV, Section 3

- F. A legally existing ~~agricultural, single family residential or related accessory~~ building or structure nonconforming as to the front, side and/or rear setback requirements or minimum lot size requirements of these Regulations may be expanded, extended, or enlarged, **provided that a zoning permit has been issued and that any such expansion, extension or enlargement:**

The following Dimensional table was discussed and agreed to with a change on page 2 to clarify farm stands are the only agricultural building with that lesser setback.

General Dimensional ~~Standards~~ Requirement Summary

| Uses | Minimum Lot Size | Contiguous Buildable Area | Frontage | | | Setbacks | | Maximum Building Footprint | Maximum Building Height |
|---|------------------|---------------------------|-------------------------------|---------------|--------------------------------|-------------------------------|-----------------------------|----------------------------|-------------------------|
| | | | Public Road Street | Interior Lots | Private Road / Common Driveway | Front Yard | Side / Rear Yard | | |
| Single-Family Residential | 2.5 acres | 1.0 acre | 100 FT 250 FT | 25 FT | 25 FT | 75 FT | 20 FT | — | 35 FT |
| Agricultural Structures | — | — | — | — | — | 40 FT See Note #1 | 20 FT | | |
| Conservation Subdivisions | 0.75 acre | 0.75 acre | 100 FT | 25 FT | 25 FT | 50 FT | 20 FT | — | 35 FT |
| Multi-Family Residential | 10 acres | 1 dwelling per 1 ac | 150 FT | — | — | 200 FT | 75 FT | 5,000 SF | 35 FT |
| Non-Residential / Commercial | 1.25 acres | — | 150 FT | — | — | 60 FT | 40 FT | See note #3 | 35 FT |
| | | | | | | See note #2 | | | |
| Seasonal Resort | 250 acres | — | 150 FT | — | — | 50 FT resort 15 FT cottage | | — | 35 FT |
| Village Green | — | — | — | | | See note #4 | | — | 35 FT |

General Dimensional ~~Standards~~ ~~Requirement~~ Notes

1. Seasonal Farm Stands Exception:

Minimum lot frontage: fifty (50') feet on a State highway or an accepted Town street.

Front Setback: may be set up anywhere behind the front lot line

2. See regulations, Special Permits re: lawfully existing buildings predating effective date of these Regulations.

3. Non-residential / Commercial Building Maximum footprint:

A. A non-residential single-occupant building shall not exceed a footprint of 15,000 sq ft

B. A non-residential multi-tenant building (professional/retail/service) shall not exceed a footprint of 30,000 sq ft with no single tenant occupying greater than 15,000 sq ft. This total square footage applies whether a single or multiple buildings are located on the parcel.

4. Village Green Development

A. Senior Residence Development (SRD) & Light Industrial: Setbacks: Front / Rear: 25 FT, Side: 20 FT

B. Village Green Area, Setbacks: Front: 15 FT, porches, porticoes and stoops may be 8 FT closer to the front property line. Side: 20 FT Rear: 25 FT

Article IV, C, Section 1 **Authorization**

8. manage stormwater to minimize impacts on the natural watershed for water quality protection and flood control; and
9. conform to and promote the Town's sewer avoidance policy.

Article IV, C, Section 3 **Dimensional Requirements**

3. The maximum number of **buildable** lots permitted, ~~as well as~~ and the required amount of Conservation Land within a subdivision shall be calculated using the methods set forth in ~~Chapter V of the Woodstock Subdivision Regulations.~~ **For each parcel the Maximum Lot Yield shall be calculated by dividing the gross buildable acreage by 2.5, with the resulting number rounded down to a whole number to determine the maximum number of buildable lots permitted, provided however that additional bonus lots may be allowed under the Affordable Housing and Accessory Apartments provisions of the Subdivision Regulations.**
4. All lots (except for permitted interior lots) ~~created on or after the effective date of these regulations~~ shall have lot frontage of
 - a. at least one hundred (100) feet on ~~a State highway, a an approved~~ **accepted** Town ~~road street, or a Private Road approved by the Commission as part of a plan of subdivision;~~ or
 - b. at least twenty-five (25) feet on ~~an approved~~ a common driveway **approved by the Commission as part of a plan of subdivision** and out-letting to a ~~an approved~~ **accepted** Town ~~road street~~ or State highway.
5. Interior (rear) lots shall not be allowed, except that:
 - a. an interior lot may be approved by the Commission at the rear corner(s) of a cul-de-sac or loop road in the subdivision of a parcel of ten (10) acres or more; or
 - b. an interior lot may be approved by the Commission if there is no reasonable alternative for access allowing development of a parcel of less than ten (10) acres legally existing on August 25, 2005, and the interior lot is accessed from a common driveway; and
 - c. an interior lot shall have lot frontage of at least twenty-five (25) feet on a State highway, a ~~an accepted~~ Town street, or a Private Road approved by the Commission as part of a plan of subdivision. The Commission may require greater lot frontage where needed to ensure sightline safety.
~~Interior lots may be created only in the rear corners of subdivision cul-de-sac streets or other similar sharp curves.~~
6. Except as otherwise provided, all structures shall be separated:

- a. at least fifty (50) feet from the boundary of any **State Highway, Town Street or Private Road, street/road** (i.e., the front ~~yard~~ setback), and
- b. at least twenty (20) feet from the boundaries of adjacent properties, (i.e., the side and rear ~~yard~~ setbacks).

~~Within lots created by subdivision or re-subdivision conservation subdivision or resubdivision, all structures shall be separated at least fifty (50') feet from the boundary of any street/road (i.e., front yard setback), and at least twenty (20') feet from the boundaries of adjacent properties (i.e., side and rear yard setbacks).~~

[the word 'seasonal' was added to the below sentence]

8. On lots with lot frontage of at least fifty (50') feet on a ~~s~~State highway or a ~~an approved accepted~~ Town ~~road street~~, **seasonal** farm stands may be set up anywhere behind that front lot line, provided that the Zoning Enforcement Officer determines that adequate off-street parking is available and that such farm stand will not cause a public safety hazard, as by obstructing drivers' sight lines, ~~and further provided that such farm standards are removed when not in use.~~

Article IV, C, Section 4 **Standards** Section A

1. No more than one **single family** dwelling ~~or and no more than, two one single family dwelling with an accessory apartment as provided below~~ ~~dwelling units~~ shall be allowed on each ~~residential~~ lot. One accessory apartment shall be permitted per **single family** dwelling provided the apartment does not exceed ~~900 square feet or~~ **thirty-three (33) percent** of the gross finished floor area of the primary residence in size **and the lot meets all requirements of these Regulations.**

Article IV, D **Dimensional Requirements**

- C. Maximum allowable density shall be one dwelling unit per **one (1.00) acre of contiguous buildable area of a parcel** ~~lot area, exclusive of wetlands, and watercourses, waterbodies and federal 100 year flood plain areas.~~
- D. **Except as otherwise provided, all structures shall be separated:**
 - a. at least two hundred (200) feet from the boundary of any **State Highway, Town Street or Private Road, street/road** (i.e., the front ~~yard~~ setback), and
 - b. at least twenty (75) feet from the boundaries of adjacent properties, (i.e., the side and rear ~~yard~~ setbacks).

Much debate occurred about what the open space requirement should be for multi-family residential development whether it should be 33% (1/3) or 50% or somewhere in between.

Motion that multi-family residential development would have no less than fifty (50%) percent of the Gross Buildable Acreage dedicated to open space (J. Gordon, M.D./ D. Young). All in favor, motion carries.

- J. For new multi-family residential developments approved after July 1, 2012 no less than fifty (50) percent of the gross buildable acreage of the parcel shall be dedicated in perpetuity as protected open space. The portion(s) of the parcel to be dedicated as protected open space shall be determined using the chapter of the Woodstock Subdivision Regulations titled Conservation Land.

The text included in the DRAFT Article IV, D, Section 2 **Standards** was deemed to be largely a duplicate of the same information to be in Article VI, thus it was removed and saved to a separate document to be referred to when Art. VI is reviewed and incorporated as needed. If any text is determined to be specific to multi-family it will be brought back to the section on Multi-family Residential Uses.

E. Non-Residential Uses

Article IV, E, Section 1 Dimensional Requirements

- A. Minimum lot size shall be **one and one-quarter** (1.25) acres of contiguous buildable area ~~exclusive of wetlands, and watercourses, waterbodies and federal 100 year flood plain areas.~~
- ~~C. Minimum front yard setback shall be sixty (60) feet.~~
- C. Except as otherwise provided, all structures shall be separated:
 - 1. at least sixty (60) feet from the boundary of any **State Highway, Town Street or Private Road, street/road** (i.e., the front yard setback), and
 - 2. at least forty (40) feet from the boundaries of adjacent properties, (i.e., the side and rear yard setbacks).
- ~~D. Minimum side and rear yards setbacks shall be forty (40) feet.~~

The concept of integrated development of non-residential uses was discussed with text borrowed from Wethersfield, however this was determined to be a new subject that was more appropriate for consideration in Phase II of the proposed Zoning Regulation review.

J. Gordon, M.D. stated he would update the Strategic Plan to include non-residential uses and integrated development in Phase II.

To clarify that the maximum size of non-residential buildings, the underlined portion below was added to the new text.

Article IV, E, Section 2 Standards

- A. The maximum size of permitted non-residential buildings shall be as follows, except in the Industrial District:
1. a single-occupant non-residential building shall not exceed fifteen thousand (15,000) square feet gross floor area;
 2. a multi-occupant non-residential building (~~e.g. a professional/retail/service~~) shall not exceed thirty thousand (30,000) square feet gross floor area, with no single tenant or user occupying more than fifteen thousand (15,000) square feet gross floor area; and
 3. the total combined square footage of all non-residential buildings on a parcel shall not exceed thirty thousand (30,000) square feet gross floor area.
- B. A single family residential dwelling (attached, detached or mixed-use building) may be located on a parcel with a non-residential use(s) provided that:
1. both the residential and non-residential uses (other than customary home occupations) are specifically approved for the parcel by the Commission in a Special Permit; and
 2. single family residential dwelling is a permitted use in the District.

The remaining portion of *this* DRAFT Section 2 was deemed to be largely a duplicate of the same information to be in Article VI, thus it was removed and saved to a separate document to be referred to when Art. VI is reviewed and incorporated as needed.

F. Seasonal Cottage Resort Uses

Article IV, F, Section 1 Dimensional Requirements

- C. Each cottage resort shall have vehicular access to and from a public street and shall have a minimum of **one-hundred and fifty (150) feet** of frontage on State highway or an ~~approved~~ **accepted** Town road street.
- ~~E. Minimum front, side, and rear yard setbacks for cottage resorts shall be fifty (50) feet.~~
- ~~1. Minimum depth front setback of each cottage site shall be fifty feet.~~
 - ~~2. Minimum front, side, and rear yard setbacks for individual cottage sites shall be fifteen (15) feet.~~
 - ~~3. Minimum distance between cottages shall be thirty (30) feet.~~
- E. Except as otherwise provided, all structures shall be separated:
1. at least fifty (50) feet from the boundary of any **State Highway, Town Street or Private Road, street/road** (i.e., the front ~~yard~~ setback), and
 2. at least fifty (50) feet from the boundaries of adjacent properties, (i.e., the side and rear ~~yard~~ setbacks).

F. ~~Minimum front, side, and rear yard setbacks for cottage resorts shall be fifty (50) feet.~~

Individual cottages shall be separated as follows:

1. Minimum front, side, and rear ~~yard~~ setbacks for individual cottage sites shall be **fifteen (15)** feet.
2. ~~Minimum distance between cottages shall be thirty (30) feet.~~

The recording stopped at 9:22 p.m. because the memory on the digital recorder was full.

Article IV, F, Section 2 **Standards**

- D. Each cottage shall be serviced by an individual alternative waste water treatment & disposal facility for individual sites as approved by the Connecticut Department of **Energy and Environmental Protection** ~~or the Northeast District Department of Health.~~
 1. No zoning permit for a cottage shall be issued until a permit for said alternative system has been issued by the ~~Northeast District Department of Health (N.D.D.H.)~~ **Connecticut Department of Energy and Environmental Protection**. No cottage except that of the resident manager of a cottage resort shall be serviced by a septic system.
 2. ~~All alternative waste water systems shall be pumped and/or serviced by a licensed vendor under contract to the association, at least once annually during the month of November, and more often if necessary.~~

G. Village Green District Uses

Article IV, G Section 1 **Dimensional Requirements Standards**

2. **Commercial / Light Industrial Area** ~~lots shall have the following minimum yard setbacks:~~ Twenty-five (25) feet front **setback**, Twenty (20) feet side **setback** and twenty-five (25) rear ~~yard setback;~~
3. ~~Commercial/Industrial Uses:~~
4. Village Green Area lots ~~shall have the following minimum yard setbacks:~~ fifteen (15) feet' front **setback**, **twenty** (20) feet side **setback**, and twenty-five (25) rear **setback**. Porches, porticoes, and stoops may be up to **eight** (8) feet closer to the front property line.

D. Fey asked what was meant by the "Village Green Area". If that is *THE* new common or village green in the new District, then how or why would it have setbacks because it would be open space? If it is meant to apply to the Village Green District it should say 'District' instead of 'Area', however this would still be confusing because the Senior Residence Development (SRD) and the Commercial Light Industrial would be in that District as well. The particular uses that the standards in #4 would apply to, need to be clarified.

Article IV, G Section 2 **Standards**, Subsection F.

1. Where bituminous concrete curbing is required, it shall be a "cape cod" style. It shall be within a fifty feet (50) right-of-way, with the following cross section: 12' snow shelf/12' lane/12' lane/8' snow shelf/5' concrete sidewalk/1' snow shelf. These dimensions may be modified at the Commission's discretion provided they still meet safety and traffic volume standards.

~~(Amendment Effective May 14, 2007)~~

Subsection G (referencing the street adjacent to the new common or village green in the new District).

1. Where bituminous concrete curbing is required, it shall be "cape cod" style. It shall be within a fifty (50) feet right-of-way, with the following cross section: 12' snow shelf/12' lane/12' lane/8' snow shelf/5' concrete sidewalk/1' snow shelf; ~~(Amendment Effective May 14, 2007)~~

6. DRAFT Zoning Regulations, Article V

Motion to table Article V to the next meeting (J. Gordon, M.D. / D. Young). All in favor, motion carries.

7. Agenda for February 2, 2011 Subcommittee meeting

The agenda for the next meeting will be to review the definitions D. Fortin, Subcommittee Chairman has selected from the overall DRAFT and prepared for additional review followed by resuming review of Article V.

8. Other

- a. Durst discussed the DRAFT Bonding Regulations, she suggested the Atty combine the language for bonding for Zoning and Subdivision into one document. She also requested an inquiry be made of Atty as to whether a model bonding regulation exists and if so, could it be provided to the PZC?
- b. J. Gordon, M.D., PZC Chairman reminded everyone of the Special Meeting on Thursday February 2, 2012 at 7 p.m. for the Attorney to discuss legal training for PZC.
- c. J. Gordon, M.D. discussed several long-term Commission issues as follows:
 1. J. Gordon, M.D. stated to the Commission that the zoning regulations update project has been going on for over 4 years now and thus we need to look at mid-summer to try to wrap up this Phase 1 of the draft zoning regulations. The Commission agreed that it wants to start using what is in the draft but will not be able to do so until approval the draft document.
 2. J. Gordon, M.D. stated that there are items in Phase 2 of the Strategic Plan and the Commission reaffirmed such should remain in Phase 2 and should not at this time be moved into the current Phase I work the Commission is doing.
 3. J. Gordon, M.D. will update the Strategic Plan (see attached) by adding to the Phase 2 list, at the Commission's request, Non-residential Uses and Integrated Development.
 4. J. Gordon, M.D. stated that we will need in mid-summer to restart the POCD update project since it remains a major work-in-progress and will

take more time to finish within the state mandated deadline; if the Commission can get a complete draft zoning regulations document sent to the Town Attorney, then during that time the Commission can restart the POCD project.

5. D. Young mentioned that once the economy picks up and the Commission starts getting more in the way of special permit and subdivision applications, the Commission's overall work will get busier, thus the importance for the Commission to use the current time to finish Phase 1 of the draft zoning regulations otherwise the Commission may run out of time.
 6. S. Blodget and J. Gordon, M.D. both mentioned that the Commission plans to take back up the non-residential design guidelines project after Phase I of the draft zoning regulations project is finished and once the POCD project is taken back up, so another reason for the Commission to redouble its efforts to get the Phase 1 project completed.
 7. J. Gordon, M.D. asked the Commission to consider holding additional Subcommittee meetings to keep momentum moving forward on the draft zoning regulations work. (I spoke with the Commission about this at the meeting just before Dave as the Subcommittee Chair asked for the Commission's decision on this topic). The Commission agreed unanimously.
 8. J. Gordon, M.D. thanked D. Fey for her continued hard work with the Commission on the draft zoning regulations project.
9. Adjournment was at 10:14 p.m. (J. Gordon, M.D./ D. Young). All in favor, motion carries.